

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

GERALD REED,	)	
	)	
Plaintiff,	)	No. 11 CV 3777
	)	
v.	)	Honorable James B. Zagel
	)	Judge Presiding
MARCUS HARDY, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS' ANSWER TO PLAINTIFF'S COMPLAINT**

NOW COME the Defendants, MARCUS HARDY, JOE ENCARNACION, CLARENCE WRIGHT, CHARLES H. DOWNS, and DARRYL EDWARDS, by and through their attorney, LISA MADIGAN, Attorney General of the State of Illinois, hereby answer Plaintiff's Complaint pursuant to the provisions of the Prisoner Litigation Reform Act, 42 U.S.C. Section 1997 (e)(g), and do hereby waive filing an Answer pursuant to the Act. However, pursuant to the Act, this waiver does not constitute an admission to the claims and allegations of the plaintiff's complaint.

**GENERAL DENIAL**

Defendants deny each and every allegation not specifically admitted herein.

**AFFIRMATIVE DEFENSES**

**First Affirmative Defense**

At all times relevant herein, Defendants acted in good faith and in furtherance of lawful objectives without violating Plaintiff's clearly established statutory or constitutional rights of which a reasonable person would have know. Defendants are therefore protected from suit by the doctrine of qualified immunity.

**Second Affirmative Defense**

Defendants' personal involvement has not been established with sufficient specificity to state a claim upon which relief can be granted.

**Third Affirmative Defense**

Plaintiff has not exhausted available administrative remedies as required by 42 U.S.C. 1997(e) and therefore, their complaint should be dismissed.

**JURY DEMAND**

Defendants demand a trial by jury on all issues herein triable.

Respectfully submitted,

LISA MADIGAN  
Attorney General of Illinois

By: /s/Agnes Ptasznik  
AGNES PTASZNIK  
Assistant Attorney General  
General Law Bureau  
100 W. Randolph St., 13th Fl.  
Chicago, Illinois 60601  
(312) 814-4217

**CERTIFICATE OF SERVICE**

The undersigned, being duly sworn under oath, states that a copy of **DEFENDANTS' PLRA ANSWER** was served:

TO: Gerald Reed, N-32920  
Stateville Correctional Center  
P.O. Box 112  
Joliet, Illinois 60434

by **U.S. MAIL** on September 30, 2011.

/s/ Agnes Ptasznik  
**AGNES PTASZNIK**